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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,319	12/01/2000	Kuang-shin Lin	EM/LIN/6262	1145

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EXAMINER

VU, THONG H

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/726,319

Applicant(s)

LIN ET AL.

Examiner

Thong H Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Claims 1-9 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9 are rejected under 35 U.S.C. § 102(e) as being anticipated by

Fielding et al [Fielding 6,012,084]

3. As per claim 1, Fielding discloses a communication process by connecting a server end (i.e.: first node, child server) in series with a system under verification (i.e.: second node) in a network (i.e.: internode) [Fielding, first node, second node, internode, col 2 lines 48-58; child server, col 21 lines 60-67], the communication process comprising the steps of:

(a) initializing a communication port connected to the server end and the SUV through an initialization module in each of the server end and the SUV by a computer in one of the server end and the SUV [Fielding, communication ports must be specifically initialized, col 9 lines 46-62 col 2 lines 57-67];

(b) processing data to be sent prior (i.e.: forward a message)[Fielding col 11 lines 44-67] to sending to a predetermined buffer (i.e.: shared memory)[Fielding col 14 lines

4-16] in a data transmission module (i.e.: message sending task) in one of the server end and the SUV [Fielding, col 27 lines 45-67];

(c) sending data to a data receiving module (i.e.: message receiver task) of the other connected one of the server end and the SUV through the predetermined buffer in the data transmission module in one of the server end and the SUV [Fielding, col 27 lines 45-67];

(d) storing the received data in a predetermined buffer in the data receiving module [Fielding, stored in shared memory, col 14 lines 4-16] in the other one of the server end and the SUV prior to sending to a cleaning module [Fielding, clean up when necessary, col 13 lines 3-7];

(e) deleting an associated head contained in data by the cleaning module so as to obtain the original data sent therefrom [Fielding, clean up when necessary, col 13 lines 3-7; delete action from its header, col 16 lines 45-37-53]; and

(f) continuing to perform the steps (a) - (e) for transmitting data between the server end and the SUV through the connected communication port. It was clearly that the network services would continue provide the services as routines [Fielding, col 2 lines 20-38, col 13 lines 2]

4. As per claim 2, Fielding discloses in performing the initialization by the initialization module in the server end in step (a), the process further comprising the steps of commanding the computer to assign a data storage buffer in the server end to the data transmission module and the data receiving module respectively, determining

whether the assignment is succeeded, if the assignment fails, the process aborts, otherwise the communication port is assigned to the computer based on an embedded communication port parameter, initializing the communication port and a storage associated with the communication port, creating a thread, and determining whether the initialization and the thread creation are succeeded, if succeeded, the process ends normally otherwise the process aborts.

5. As per claim 3, Fielding discloses in performing the initialization by the initialization module in the server end in step (a), the process further comprising the steps of commanding the computer to assign a data storage buffer in the server end to the data transmission module and the data receiving module respectively, determining whether the assignment is succeeded, if the assignment fails, the process aborts otherwise, the communication port is assigned to the computer based on an embedded communication port parameter, initializing the communication port and a storage associated with the communication port, creating an interrupt program based on the thread in the server end, and determining whether the initialization and the thread creation are succeeded, if succeeded, the process ends normally otherwise, the process aborts as inherent feature of network services.

6. As per claim 4, Fielding discloses in processing the thread and the interrupt program the computer in each of the server end and the SUV, the process further comprising the steps of continuously monitoring the status of the communication port

connected to the server end and the SUV for determining whether data has been transmitted to the communication port, if no data received, returning to the monitoring step, if yes, searching a complete data package in the predetermined buffer in the data receiving module, if there is a complete data package, the process returns to the monitoring step, if there is no complete data package, the process receives data based on the head the data package, determining whether the data package is complete, if not, returning to the monitoring step, if yes, retrieving a data size bit in the data package for determining a set value of the data package to be equal to 0, if yes, returning to the monitoring step, if not, receiving data based on the data size bit of the data package, and performing a processing on data based on a data type thereof as inherent feature of network services.

7. As per claim 5, Fielding discloses in the step (c) of sending data to a data receiving module of the other connected one of the server end and the SUV, the process further comprising the steps of commanding the computer in one of the server end and the SUV to issue a transmission request to the other connected one of the server end and the SUV and waiting for a reply, determining whether there is a reply, if there is a reply, commanding the computer to receive the request and transmit the message contained in the request to the other connected one of the server end and the SUV for receiving, determining whether the request is accepted by the receiving end, if not, aborting the process, if yes, commanding the computer to transmit data, the computer determining whether there is a reply from the receiving end simultaneously, if

yes, commanding the computer to determine whether the transmission has ended, if not, the process looping back to the data transmission step, if the transmission has ended, an end of transmission flag is sent to the receiving end, and determining whether there is a reply from the receiving end with respect to the end of transmission flag, if yes, the process ends normally.

8. As per claim 6, Fielding discloses in commanding the computer in one of the server end and the SUV to issue a transmission request to the other connected one, of the server end and the SUV and waiting for a reply, if there is no reply the process further comprising the steps of determining whether the waiting is within a predetermined limit, if the waiting is within the predetermined limit, the process loops back to the waiting state, if not, determining whether the times of requesting transmission has reached a predetermined value, if yes, the process loops back to the transmission request step, if not, the process aborts as inherent feature of network services.

9. As per claim 7, Fielding discloses in commanding the computer to transmit data, if the computer determines there is no reply from the receiving end the process further comprising the steps of determining whether the waiting is within a predetermined limit, if the waiting is within the predetermined limit, the process loops back to the waiting state, if not, determining whether the times of requesting transmitting data has reached

a predetermined value, if yes, the process loops back to the data transmission step, if not, the process aborts as inherent feature of network services.

10. As per claim 8, Fielding discloses in sending the end of transmission flag to the receiving end if the computer determines there is no reply from the receiving end with respect to the end of transmission flag the process further comprising the steps of determining whether the waiting is within a predetermined limit, if the waiting is within the predetermined limit, the process loops back to the waiting state, if not, determining whether the times of requesting sending the end of transmission flag has reached a predetermined value, if yes, the process loops back to the requesting sending the end of transmission flag step, if not, the process aborts as inherent feature of network services.

11. As per claim 9, Fielding discloses when data sent from the other connected one of the server end and the SUV is received by one of the server end and the SUV the process further comprising the steps of the computer in on of the server and the SUV determines whether the received data is in compliance with the data type contained in the data package, if not, the process ends, if yes, determining whether a predetermined user buffer is full, if yes, the process ends, if not, the process writes the received data from the predetermined buffer in the data receiving module into the predetermined user buffer, and determining whether the end of transmission has been received, if yes, the process ends otherwise, the process loops back to the step of determining whether the

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received data is in compliance with the data type contained in the data package as inherent feature of network services.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643.

The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (703) 305-9705.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Thong Vu
Patent Examiner
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